UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,801	08/03/2001	Taher Elgamal	06975-193002	8214

26171 7590 01/04/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022	**EXAMINER** KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
2135	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 October 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _31-34,36-43 and 45-48_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _31-34, 36-43, 45-48_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 10/10/2006. The amendment

filed on 10/10/2006 have been entered and made of record. Therefore, presently pending claims

are 31-34, 36-43, and 45-48.

Response to Arguments

In view of the Appeal Brief filed on 10/10/2006, PROSECUTION IS HEREBY

REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, applicant must exercise one of the following

two options:

(1) file a reply under 37 CFR 1.111(if the Office action is non-final) or a reply under 37

CFR 1.113 (if the Office action is final); or

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37CFR 1.130, 1.131 or 1.131) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

In the appeal brief the applicant argued that Drew and Perona do not teach or suggesting

the use of attribute values, each of which corresponding to a policy attribute and indicating

whether an application program may use a function capable of being performed by the

application program. This was found persuasive and therefore the new grounds of rejection

introduces Challener.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 31, 36-40, and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Drews (6,647,494 B1) and further in view of Challener et al. (7,096,496 B1) and further in

view of Perona et al (6,671,809).

In reference to claims 31 and 40 Drew discloses a system and method for checking

authorization of remote configuration operations (title). The system includes accessing a

manifest that corresponds to the policy file in this application. The manifest includes an attribute

portion (configurable parameters) configured to store one or more policy attributes and a value

portion having one or more attribute values (column 4 lines 17-21), each attribute value

corresponding to a policy attribute and a digital certificate including at least one digital signature

portion (column 4 line 56 to column 5 line 45); determining whether the policy file is unaltered

based on the signature portion of the policy file (column 5 lines 49-53); retrieving at least one of

the attributes and, for each retrieved attribute, an attribute value corresponding to the attribute

from the policy file, manifest, (Fig. 7).

The system of Drews does not a policy file wherein each attribute value corresponds to a

policy attribute and indicating whether an application program may use a function. Further the

system determines whether a function represented by a retrieved attribute is permitted to be accessed by the application program.

Challener discloses a policy file wherein each attribute value corresponds to a policy attribute and indicating whether an application program may use a function (Fig. 4). Further the system determines whether a function represented by a retrieved attribute is permitted to be accessed by the application program (column 7 lines 9-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a profile that indicates the level of access available to the user as in Challener in the system of Drews. One of ordinary skill in the art would have been motivated to do this because it is desirable to make data and programs available to authorized users while denying access to unauthorized users (Challener column 1 lines 14-22).

However Drews does not disclose expressly disclose determining whether an application program may use a function capable of being performed by the application program and thus determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program; and permitting the application program to access the function conditioned upon a determination that the policy file is unaltered.

Perona discloses determining whether an application program may use a function capable of being performed by the application program and thus determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program (column 6 lines 15-23); and permitting the application program to access the function conditioned upon a determination that the policy file is unaltered (column 6 lines 24-36).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the integrity check for new upgrades, configurations, as in the system of Perona in the system of Drews. One of ordinary skill in the art would have been motivated to do this because it would enable upgrades to be performed in a manner that ensures that only components that are licensed or otherwise approved for use with one another may be utilized in combination (Perona column 3 lines 14-19).

In reference to claims 38 and 47, wherein and each of the attribute values is one of a string, an integer number, and a truth expression (Fig. 4).

In reference to claims 39 and 48, wherein the truth expression is one of a true flag, a false flag, and a conditional flag (part 44 Fig. 1).

In reference to claims 36 and 45 wherein the signature portion applies to the attribution portion and the value portion of the policy file; determining whether the policy file is unaltered comprises determining whether the attribute portion and the value portion are unaltered based on the signature portion (Fig. 4).

In reference to claims 37 and 46 wherein the signature portion applies to the policy file, manifest (column 4 lines 38-48).

Claims 32-34 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drews in view of Perona et al as applied to claims 31 and 40 above, and further in view of Anderl et al (WO 87/07063).

In reference to claims 32 and 41 Drews and Perona do not expressly disclose the policy file comprising a JAVA archive file.

Anderl discloses the storage of multiple files on a smart card (page 2 lines 19-29). JAR files are Java class files. A smart card can contain multiple files as evidenced by Anderl; therefore can contain JAR files. The JAR files may contain digital signatures which are used for security as the files in Anderl that are credentials used for security.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to keep multiple files as in the file of Anderl in the system of Drews. One of ordinary skill in the art would have been motivated to do this because the amount of files stored in a smart card is only limited by the amount of memory made available in the smart card. In addition the policy of Drews can be divided into sub domain and files are a convenient method of organizing data.

In reference to claims 33-34 and 42-43, wherein the policy file comprises multiple component files, at least one of the component files storing some of the attribute portions and attribute values.

Although Drews and Perona do not discloses the policy being stored in multiple files Anderl discloses the storage of multiple files on a smart card (page 2 lines 19-29).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to keep multiple files as in the file of Anderl in the system of Drews. One of ordinary skill in the art would have been motivated to do this because the amount of files stored in a smart card is only limited by the amount of memory made available in the smart card. In addition the policy of Drews can be divided into sub domain and files are a convenient method of organizing data.
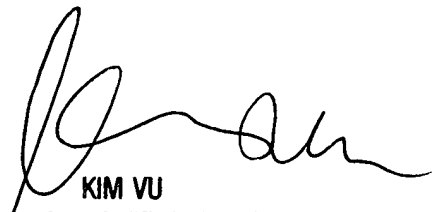
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854.

The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK
Sunday, December 24, 2006

KIM VU
SUPERVISORY PATENT EXAMINER
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